IN THE

Supreme Court of the United States

OCTOBER TERM, 1966

No. 32

JAMES R. HOFFA, *Petitioner*

v.

UNITED STATES

No. 33

THOMAS EWING PARKS, *Petitioner*

v.

UNITED STATES

No. 34

LARRY CAMPBELL, *Petitioner*

v.

UNITED STATES

No. 35

EWING KING, *Petitioner*

v.

UNITED STATES

SUPPLEMENT TO MOTION FOR RELIEF BECAUSE OF GOVERNMENT WIRETAPPING, ELECTRONIC EAVESDROPPING AND OTHER INTRUSIONS

Come now the petitioners by their counsel and as a supplement to the motion filed herein on January 26, 1967, represent to this Court as follows:

On the 31st day of January, 1967, petitioners obtained additional direct evidence that Walter Sheridan, an agent of the Department of Justice, had in his possession recordings of telephone conversations between Petitioner Hoffa and his counsel, and between Nicholas Tweel and Allen Dorfman, who were co-defendants with Petitioner Hoffa in one of the counts of the indictment in the trial below, upon which all defendants were acquitted.

The foregoing appears more fully in the affidavit of Hazel Fulton, now filed in this Court, and which is printed as an appendix to this supplement.

This affidavit is summarized in the following narrative which should follow the section of the original motion, entitled:

II. Wiretapping and Eavesdropping Prior to Petitioner's Trial

49(a). Miss Fulton testified for the Government against Petitioner Hoffa and his then co-defendants Tweel and Dorfman. She had acted as a secretary for Tweel. In November or December of 1962, Dorfman called Tweel. Tweel asked Miss Fulton to type a list of names that Dorfman would dictate to her. She did this. (Fulton Aff. S. App. 1a, 2a)

49(b). After this call, Miss Fulton gave Tweel a statement that the call from Dorfman was in connection with insurance business. Before she made this affidavit, she had been visited by two agents of the FBI, a Mr. Kelly and Mr. Shoemaker. Upon inquiry

by them, she told them she had handled calls for Tweel, and that she did know the name of a Dallas Hall (who was also a Government witness) and Dorfman. She testified before the grand jury on February 27, 1963. (Fulton Aff. S. App. 2a, 3a)

49(c). After Tweel's indictment, Miss Fulton was brought to Nashville, Tennessee. The next morning Sheridan told her he knew she had lied to the grand jury and he could prove it; that he knew of every phone call that Nicholas Tweel had made; that they had all been recorded; that the Government knew that Tweel and Dorfman were guilty, but they needed Miss Fulton's testimony to prove their guilt in court. Sheridan told her that he needed her to testify that she had taken down a list of members of the jury over the telephone from Dorfman. Sheridan placed a tape on a tape recorder and the following conversation was played:

> A female voice: "Long distance calling Mr. Nicholas Tweel."
>
> Miss Fulton: "May I tell Mr. Tweel who is calling?"
>
> A man's voice: "Allen Dorfman."
>
> Miss Fulton: "Just a moment, please."
>
> Mr. Tweel: "Hello."

Tweel and Dorfman then talked briefly and Dorfman said he had a list of names for Mr. Tweel.

> Mr. Tweel: "Hazel, pick up your phone and take down this list of names. I don't want to talk to him when you finish." (Fulton Aff. S. App. 3a-5a)

49(d). After Sheridan stopped the recorder, he said: "Now you can see I know what I am talking about, that's when you copied the list of the Hoffa jury." Miss Fulton insisted that she did not know that the names were of the jurors, but admitted that she had taken down a list of names. (Fulton Aff. S. App. 6a)

49(e). Sheridan advised Miss Fulton that she had more to fear from the Teamsters Union and Hoffa than anyone else. He then played the following conversation on the recorder:

> A man's voice: "Tommy, who the hell is the Fulton woman connected with Tweel?"
>
> Another man's voice: "Jimmy, she is a trusted employee of Nick's."
>
> The first voice: "I hear different. This woman can cause a hell of a lot of trouble. Somebody had better talk to her." (Fulton Aff. S. App. 6a)

49(f). Sheridan shut off the recorder. He told Miss Fulton she had just heard Hoffa talking to his attorney about her, and that the Teamsters had the reputation of taking care of their enemies and apparently she was on their enemy list. Sheridan also advised her to think about her previous statement and her grand jury testimony. (Fulton Aff. S. App. 6a)

49(g). Upon her return to Huntington, West Virginia, she was contacted by FBI agent Shoemaker. She went to Shoemaker's office. She gave to him the statement that Sheridan had requested her to make. Several days later Sheridan telephoned to her and told her to forget all about the tapes. (Fulton Aff. S. App. 6a, 7a)

49(h). On September 15, 1963, Miss Fulton was sent to Washington by an F. B. I. Agent where she was

met at the airport by Sheridan. Sheridan took her to the office of then Attorney General Kennedy. The Attorney General asked her about telephone conversations. He was very specific about one telephone conversation. He asked Miss Fulton whether she had heard a conversation wherein Tweel had told someone to give $10,000 to a third party and not to worry about it. She advised the Attorney General that she had not heard any such conversation. The Attorney General stated that Miss Fulton was not telling him the truth in this regard. (Fulton Aff. S. App. 7a, 8a)

Respectfully submitted,

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February, 1967